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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/043,763

01/09/2002

Janardhanan S. Ajit

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03/18/2004

CHRISTIE, PARKER & HALE, LLP  
350 WEST COLORADO BOULEVARD  
SUITE 500  
PASADENA, CA 91105

EXAMINER

CUNNINGHAM, TERRY D

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

10/043,763

Applicant(s)

AJIT, JANARDHANAN S.

Examiner

Terry D. Cunningham

Art Unit

2816

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☐ The proposed amendment(s) will not be entered because:  
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 2,4 and 23-29.Claim(s) objected to: 1,3,5 and 6.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.  
10. ☐ Other: \_\_\_\_\_

Terry D. Cunningham  
Primary Examiner  
Art Unit: 2816

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## **ATTACHMENT TO ADVISORY ACTION**

### ***Continuation of No. 5***

Examiner has fully considered Applicant's remarks for the above rejection and has not found them to be persuasive.

With respect to claims 1 and 3, Applicant remarks that 'a pad voltage' and 'a predetermined value' are two distinct quantities that are not necessarily identical. As can be seen in FIG. 2 of Bingham that a differential comparator 36 compares a first input 24 (coupled to a terminal 14) to a second input 26." Firstly, the claim provides no requirement that the "pad voltage" and the "predetermined value" be "distinct". Secondly, although the purpose of a comparator is to compare the input voltages applied thereto, it is well known that an amplifier includes some inherent offset voltage between the inputs. The difference between the voltages in conjunction with the "offset voltage" can reasonably be considered to be a "predetermined value".

With respect to claims 5 and 6, Applicant remarks "If substitutions are made as suggested by the Office Action, claim 5 would recite 'providing V- to a gate of [the p- channel MOS transistor 48] in response to the turn off of (the n-channel MOS transistor 72) to couple Vpad to V-.'" This statement is not understood. Nowhere is there any substitution made in the rejection. The rejection clearly states that is would be reasons to consider V- (as is) to be "a bias voltage".

Therefore, the rejections are hereby maintained.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terry Cunningham whose telephone number is 571-272-1742. The examiner can normally be reached on Monday-Thursday from 7:30 to 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC  
March 15, 2004

  
Terry D. Cunningham  
Primary Examiner  
Art Unit 2816